

**SUMMARY REPORT OF INVESTIGATION<sup>1</sup>**

Date/Time/Location of Incident:	Nov 27, 2016/ approximately 10:27 pm/ vicinity of [REDACTED] [REDACTED]
Date/Time of COPA Notification:	December 4, 2016/ 3:33 pm
Involved Officer #1:	[REDACTED] # [REDACTED] Employee # [REDACTED] Date of Appointment: [REDACTED] 2014; Police Officer; Unit of Assignment: [REDACTED] Dist.; DOB [REDACTED], 1990; Hispanic Male
Involved Officer #2:	[REDACTED] # [REDACTED] Employee # [REDACTED] Date of Appointment: [REDACTED], 2012; Police Officer; Unit of Assignment: [REDACTED]; DOB [REDACTED], 1985; White Male
Involved Officer #3	[REDACTED] # [REDACTED] Employee # [REDACTED] Date of Appointment: [REDACTED] 2012; Police Officer; Unit of Assignment: [REDACTED] Dist.; DOB [REDACTED], 1981; White Male
Involved Officer #4	[REDACTED] # [REDACTED] Employee # [REDACTED] Date of Appointment: [REDACTED], 2014; Police Officer; Unit of Assignment: [REDACTED] Dist.; DOB [REDACTED], 1983; White Male
Involved Individual #1:	[REDACTED] 8, 1990; Male black
Case Type:	Excessive Force

**I. ALLEGATIONS**

Officer	Allegation	Finding
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<sup>1</sup> On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

Officer [REDACTED]	<ul style="list-style-type: none"> <li>1. Stopped the car that the Complainant was a passenger in without reason or justification.</li> <li>2. Dragged the complainant on the concrete into a nearby squad car.</li> </ul>	Exonerated  Unfounded
Officer [REDACTED]	<ul style="list-style-type: none"> <li>1. Stopped the car that the Complainant was a passenger in without reason or justification</li> <li>2. Dragged the complainant on the concrete into a nearby squad car.</li> </ul>	Exonerated  Unfounded
Officer [REDACTED]	<ul style="list-style-type: none"> <li>1. Dragged the complainant on the concrete into a nearby squad car.</li> </ul>	Unfounded
Officer [REDACTED]	<ul style="list-style-type: none"> <li>1. Dragged the complainant on the concrete into a nearby squad car.</li> </ul>	Unfounded

## II. SUMMARY OF EVIDENCE<sup>2</sup>

In sum, the complainant, [REDACTED] alleged that on November 27, 2016, Officers [REDACTED] and [REDACTED] stopped the vehicle he was a passenger in without justification and then Officers [REDACTED] and [REDACTED] forcefully handcuffed him, choked him, threw him to the ground and dragged him across the concrete before placing him in a squad car.

Department reports, the officers' statements and available evidence indicate that Officers [REDACTED] and [REDACTED] stopped the vehicle after observing both the passenger and driver without seatbelts and an investigation further revealed the car had an expired city sticker. The driver of the

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<sup>2</sup>COPA conducted a full and complete investigation of this matter, including the interview of all pertinent civilian and officer witnesses, and the collection and review of digital, documentary, and forensic evidence. As part of COPA's ongoing efforts to increase case closure capacity, certain cases opened under IPRA are summarized more succinctly in a Modified Summary Report of Investigation, pursuant to COPA Guideline Modified Summary Report of Investigation Template and Approvals, effective February 13, 2019.

vehicle, [REDACTED] was discovered to have a suspended driver's license. In-car dash camera captured audio of the interaction between the officers and the passengers of the car. During the stop, one officer alerts the others that the passenger (now known as [REDACTED]) was observed by officers leaning toward the center counsel and appeared to be concealing something in a clenched fist. The officers give many commands for [REDACTED] to unclench his fists and submit to the officers. The tactical response reports reveal that after the several officers gave [REDACTED] commands to release his fist and comply with officers' requests, the officers used wrist locks, arm bars, emergency handcuffing and escort holds to secure [REDACTED] arrest. Officers can be heard in the in-dash camera audio speculating that [REDACTED] is under the influence of something and asking him "what are you on." Additionally, an officer is heard calmly telling someone to watch their head and asking if they had any contraband on them, then instructing them to place their feet in the car.

### III. ANALYSIS AND CONCLUSION

#### **Allegations #1 against Officer [REDACTED] and Officer [REDACTED]** **is Unfounded**

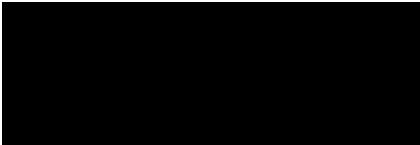
COPA finds the allegations that the accused officers stopped the Complainant's car without reason or justification to be **Exonerated**. Officer [REDACTED] stated that he observed the Complainant who was sitting in the passenger seat and the driver not wearing their seatbelts. Officer also [REDACTED] stated that he ran the vehicle's license plate number and discovered that the vehicle did not have a city sticker even though the car was registered in Chicago. Department reports further corroborate the officer's statements as to the probable cause for the stop.

COPA finds the accounts of Officer [REDACTED] and [REDACTED] are supported by the evidence in the case, including audio recordings and Department reports filed immediately after the stop. Thus, COPA determines that the officers pulled the Complainant over for valid traffic infractions and accordingly must find this allegation **Exonerated**.

#### **Allegations #2 against Officer [REDACTED] Officer [REDACTED] Officer [REDACTED] and Officer [REDACTED]** **is Unfounded**

COPA finds the allegation that [REDACTED] was dragged on the concrete is **Unfounded**. [REDACTED] allegations are not supported by the in-dash camera audio. Additionally, COPA finds that the complainant [REDACTED] is not credible. First, the audio from the in-dash camera suggest that the officers had a few tense moments as they struggled to obtain [REDACTED] compliance and reveal what he was concealing in his clenched fist. However, in audio from seconds after the confrontation the officers are calm, polite and appear to have [REDACTED] calmed to some degree. The audio is in direct contrast with the allegations levied by [REDACTED]. Further, the evidence suggests that [REDACTED] may have been under the influence of something based on the officer's contemporaneous assessment of him while trying to obtain compliance. COPA does not find [REDACTED] account credible and in contrast finds the officers' statements are consistent with the audio. Moreover, their statements are consistent with all department reports including the Tactical Response Reports generated by each officer in this matter. COPA finds allegation #2 against all the officers is **Unfounded**.

Approved:



June 5, 2019

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Andrea Kersten

*Deputy Chief Administrator – Chief Investigator*

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Date

**Appendix A**

**Assigned Investigative Staff**

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<b>Squad#:</b>	4
<b>Investigator:</b>	[REDACTED]
<b>Supervising Investigator:</b>	
<b>Deputy Chief Administrator:</b>	Andrea Kersten